

REMARKS/ARGUMENTS

Claims 1-13 and 15-32 are pending in this application. By this Amendment, claims 1 and 22 are amended, and claim 32 is added. Support for the claims can be found throughout the specification, including the original claims and the drawings. Withdrawal of the rejections in view of the above amendments and the following remarks is respectfully requested.

I. Allowable Subject Matter

The Examiner is thanked for the indication that claim 1 would be allowable if rewritten or amended to overcome the rejection thereof under 35 U.S.C. §112, second paragraph, and that claims 2-13, 15-21 and 27-29 would be allowable if rewritten to overcome the rejection thereof under 35 U.S.C. §112, second paragraph, and in independent form. It is respectfully submitted that the amendments to independent claims 1 and 22 submitted herewith are responsive to the Examiner's comments, and that claims 1-13, 15-21, and 27-29 meet the requirements of 35 U.S.C. §112, second paragraph. Accordingly, it is respectfully submitted that independent claim 1, as well as claims 2-13, 15-21, and 27-29, which depend therefrom, should be in condition for allowance.

II. Informalities

The Office Action objects to claim 1 due to an informality. It is respectfully submitted that the amendments to claim 1 submitted herewith are responsive to the Examiner's comments, and thus the objection should be withdrawn.

III. Rejection Under 35 U.S.C. §112, Second Paragraph

The Office Action rejects claims 1-13 and 15-31 under 35 U.S.C. §112, second paragraph, as allegedly indefinite. It is respectfully submitted that the amendments to independent claims 1 and 22 submitted herewith are responsive to the Examiner's comments, and that claims 1-13 and 15-31 meet the requirements of 35 U.S.C. §112, second paragraph. Accordingly, the rejection should be withdrawn.

IV. Rejection Under 35 U.S.C. §102(b)

The Office Action rejects claims 22-26, 30 and 31 under 35 U.S.C. §102(b) over Japanese Patent No. 3-178792 (hereinafter "JP '792). The rejection is respectfully traversed.

Independent claim 22 is directed to a tray transferring apparatus for transferring a handling tray bearing electronic components. The apparatus includes a fixing unit installed on a main frame and configured to hold a first tray immediately adjacent the main frame, and a gripper unit installed on the main frame and configured to hold a second tray bearing a plurality of electronic components in holding depressions. The gripper unit is configured to hold the second tray adjacent a side of the first tray opposite the main frame. JP '792 neither discloses nor suggests such features, or the claimed combination of features.

JP '792 discloses a holding device for a plate like body 7. Holding members 44 and 45 are provided at terminal ends of a frame member 43, and abutting pieces 46 and 47 are provided proximal ends of the frame member 43. End parts 8a at one end of a plate 7 to be held by the device fit into grooves 57 and 58 formed in the holding members 44 and 45. End parts 8b at an

opposite end of the plate 7 are held between the bottom of the abutting pieces 46 and 47 and abutting faces 55a and 56a of a moveable piece 49. As the moveable piece 49 is moved toward the abutting pieces 46 and 47, the edge 8b of the plate 7 is held therebetween. As the moveable piece 49 is moved away from the abutting pieces 46 and 47, the edges 8b of the plate 7 are released, and the plate 7 is released from the device. JP '792 discloses an embodiment in Figure 7 that has a single frame member 4 having a single holding member 5/15 and a single abutting member 6/16 which appears to operate in a similar manner.

In order to anticipate a claim, the reference must teach every aspect of the claim. JP '792 neither discloses nor suggests that the plate like body 7 held by the holding device is a tray bearing electronic components, nor that the disclosed device could or should be used to transfer such a tray holding electronic components. Rather, the plate like body 7 shown most clearly in Figures 7 and 8 of JP '792 does not include any type of holding areas which could accommodate such electronic devices. Further, it does not appear that the holding device disclosed by JP '792 could provide a stable enough grip on such a tray to ensure that electronic devices held thereon would not be released from the tray and/or damaged.

However, even if it is assumed that the device disclosed by JP '792 could be used to hold a tray of electronic devices as recited in independent claim 22, the holding device of JP '792 could very clearly only be used to hold one such tray of electronic devices. More specifically, independent claim 22 requires a fixing unit installed on a main frame that holds a first tray immediately adjacent a main frame, and a gripper unit that holds a second tray (bearing a

plurality of electronic components in holding depressions) adjacent a side of the first tray opposite the main frame. In contrast, in JP '792, the plate 7 (considered a first tray) is held at the frame member 43 by the holding members 44 and 45, abutting members 46 and 47 and moveable piece 49, as shown in Figures 2 and 7 of JP '792. If this device were then to have to secure a second plate (not shown or discussed in JP '792) on the lower side of the first plate 7, the moveable piece 49 must be moved away from the abutting members 46 and 47 in order to pick up and accommodate such a second plate at a lower side of the first plate 7.

However, by moving the moveable piece 49 in this manner, the device would naturally release its hold on the first plate 7 at at least the edge 8b of the plate 7, and most likely at both edges 8a and 8b of the plate 7. Thus, it is unclear how the device disclosed by JP '792 could stably grip more than one plate 7. Further, even if two plates 7 were first stacked and then picked up and held by the device, both plates 7 would be held by the holding members 44 and 45, abutting members 46 and 47 and moveable piece 49 (collectively compared in the Office Action to the claimed gripper unit). JP '792 neither discloses nor suggests a fixing unit in addition to a gripper unit, let alone a fixing unit that holds a first tray, and a separate gripper unit that holds a second tray in the manner specifically recited in independent claim 22.

For all of these reasons, it is respectfully submitted that independent claim 22 is not anticipated by JP '792, and thus the rejection of independent claim 22 under 35 U.S.C. §102(b) over JP '792 should be withdrawn. Dependent claims 23-26, 30 and 31 are allowable at least for

the reasons set forth above with respect to independent claim 22, from which they depend, as well as for their added features.

V. New Claim 32

New claim 32 is added to the application. It is respectfully submitted that new claim 32 meets the requirements of 35 U.S.C. §112, and is allowable at least for the reasons set forth above with respect to independent claim 22, from which it depends, as well as for its added features.

VI. Conclusion

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned, **Joanna K. Mason**, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this,

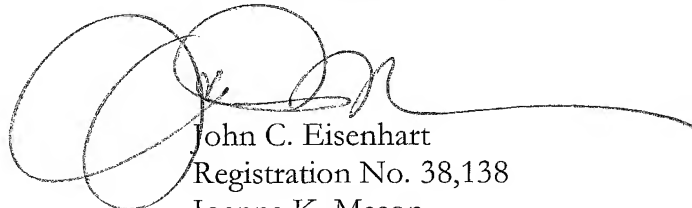
Serial No. **10/773,325**

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Reply to Office Action of **January 25, 2008**

concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
KED & ASSOCIATES, LLP

A handwritten signature in black ink, appearing to read 'John C. Eisenhart', with a long horizontal flourish extending to the right.

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